In re Patent Application of:
STEVEN HILL
Serial No. **10/761,275**
Filed: **JANUARY 22, 2004**

REMARKS

Claims 1 to 10 and 32 to 37 are currently pending. Claims 1 to 10 and 32 to 37 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 31 and 56 of copending United States Patent Application No. 10/761,409.

Applicant hereby submits a terminal disclaimer in compliance with 37 CFR 1.321(d), as the copending Patent Application No. 10/761,409 is co-owned by McMaster University.

As such, it is respectfully submitted that all of the claims remaining in the application are in condition for allowance. Early and favorable consideration would be appreciated.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

PAGE 2/3 * RCVD AT 1/9/2006 11:57:31 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/25 * DNIS:2738300 * CSID:13219847078 * DURATION (mm-ss):00-52

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Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number **571-273-8300** to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, this 9 day of January 2006.

D. Kallemeyn

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